

REMARKS/ARGUMENTS

Claims 1-3, 5, 7-14, 17-21, 23, 29-41, 44-45, 51-53, 56, and 132-138 remain in this application. Claims 1, 3, 17, 30, 32, 33, 39, 51, 56, 132, 137, and 138 have been amended. Claims 4, 6, 15-16, 22, 24-28, 42-43, 46-50, 54-55 have been canceled. Claims 57-131 have been withdrawn.

1. Double Patenting

Applicants note that the Patent Office has stated that should claim 1 be found allowable, claim 31 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof, and Applicants request deferral of a response to that statement after allowance of claims.

2. Claim Rejections under 35 U.S.C. §112

The Patent Office has rejected Claims 132-138 under 35 U.S.C. 112, first paragraph.

In view of the amendment to Claim 132, Applicants submit that the rejection has been overcome.

The Patent Office has also rejected Claims 1-5, 7-14, 17-21, 23, 28-41, 44-45, 48, 51-53, 56, and 132-138 under 35 U.S.C. 112, second paragraph.

In view of the claims as amended, Applicants respectfully traverse the rejections.

Applicants respectfully disagree with the assertions by the Patent Office that Applicants' definitions are limited to "chamber 114", and that therefore the claims are not directed to Applicants' chambers 214, 314, and 414.

First, Applicants note that all of the pending claims are method claims.

The Specification on page 6 lines 14-21 states:

Method embodiments of the present invention for doping or drying a soot preform **5** (**Fig. 2**) are represented by the flowchart of **Fig. 1**. A drying and/or doping apparatus **100** according to embodiments of the present invention is shown in **Fig. 2** that may be used to execute the methods of **Fig. 1**. *It will be appreciated that the methods may be executed using other apparatus, including the apparatus 200, 300 described hereinbelow.* The apparatus **100** will be described immediately below, followed by descriptions of methods according to the present invention for drying and for doping a soot preform. (emphasis added)

In addition, the Specification on page 6 lines 24-26 states:

The vessel **112** defines a chamber **114** that has an inlet **120** and an outlet **122** each in fluid communication with the chamber **114**.

The Specification on page 20 lines 29-31 states:

The methods of **Fig. 3** may be conducted using the doping or drying apparatus of **Fig. 2**, as described below, or using any other suitable apparatus such as the apparatus **200** and **300** discussed below. (emphasis added)

With regard to Fig. 4, the Specification on page 23 lines 1-7 states:

With reference to **Fig. 4**, a doping and/or drying apparatus **200** according to further embodiments of the present invention is shown therein. The apparatus **200** *may be used in place of the apparatus 100 to conduct any of the methods described herein*, and is preferred for conducting the methods of **Fig. 3**. The apparatus **200** corresponds to the apparatus **100** except for the provision of a modified fluid control system **230** in place of the fluid control system **130** and the additional provision of a handle drive system **270**. (emphasis added)

With regard to Fig. 5, the Specification on page 23 lines 25-30 states:

With reference to **Fig. 5**, a doping and/or drying apparatus **300** according to further embodiments of the present invention is shown therein. The apparatus **300** corresponds to the apparatus **200** except that the fluid control system **230** is replaced with a modified fluid control system **330**. The system **330** corresponds to the system **230** except that the dopant gas supply **240** and the drying gas supply **245** are omitted and a process gas supply **339** is provided. (emphasis added).

Applicants further submit that the Specification and Drawings disclose methods which include exposing a soot preform to an atmosphere, wherein a vessel defines a chamber, and the soot preform is placed in the chamber of the vessel, and the atmosphere is disposed in the chamber about the soot preform.

In view of at least the above, Applicants submit that one of ordinary skill in the art would readily understand what "chamber 114" is, and also that chamber 114 was exemplarily used to illustrate the methods disclosed in the Specification and Drawings, and that other chambers (214, 314, or others) could be used in said methods.

In the rejection under 35 U.S.C. 112, second paragraph, the Patent Office took the position that there is confusing antecedent basis for the pressurizing steps in Claim 3. Applicants submit that Claim 3 has been amended, and the rejection has been obviated. Applicants respectfully request withdrawal of the rejection of Claim 3.

Claim 4 has been cancelled without prejudice or disclaimer, thereby obviating the rejection under 35 U.S.C. 112, second paragraph.

Claim 28 has been cancelled, without prejudice or disclaimer, as being redundant with Claim 1, and Claim 48 has been cancelled, without prejudice or disclaimer, as being redundant with Claim 30.

Claim 56 has been amended to correct the antecedent basis for "soot preform".

Claims 1, 30, 51, 132, 137 and 138 have been amended to replace "chamber" with "vessel".

Claim 17 has been amended to clarify "pressurizing" in the context of Claims 1 and 17.

Claim 32 has been amended to remove "pressurizing".

Claim 33 has been amended to more clearly refer to the "holding" step found in Claim 30.

Claim 39 has been amended to clarify that "pressurization within the vessel" refers to "pressurization of the atmosphere within the vessel" per Claim 30.

In view of the above and the foregoing, Applicants submit that the claims are patentable and request withdrawal of the rejections.

3. Conclusion

Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Joseph M. Homa at 607-974-9061.

Respectfully submitted,

DATE: DECEMBER 22, 2006


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